

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 2112 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA and  
MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgement?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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A'BAD MUNICIPAL CORPORATION

Versus

CHIMANLAL SHIVLAL AMIN

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Appearance:

MR MAULIN RAVAL for appellant

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CORAM : MR.JUSTICE M.R.CALLA and  
MR.JUSTICE R.P.DHOLAKIA

Date of decision: 13/04/99

ORAL JUDGEMENT (per M.R. Calla, J.)

This First Appeal (B.P.M.C. Act) was admitted on 5th October 1994. The notice which was sent for service on the respondent, namely, Chimanlal Shivlal Amin, were returned with the report that the respondent Chimanlal Shivlal Amin had died long back and had also disposed of his properties. This report was made on 13th March 1995

and uptil now no steps have been taken by the appellant to bring the LRs of the deceased on record.

2. In the facts and circumstances of this case, these proceedings cannot continue against the dead person and the appeal, therefore, cannot survive and the same is hereby dismissed. No order as to costs.

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